

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2001-23

AN ORDINANCE

**REPEALING SECTION 14-29 SFCC 1987 AND ADOPTING A NEW SECTION 14-29
RELATING TO BUSINESS AND INDUSTRIAL PARK DISTRICT AND AMENDING
ALL APPROPRIATE SECTIONS OF CHAPTER 14 SFCC 1987 IN RELATION TO THIS
SECTION.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

**Section 1. REPEAL. Section 14-29 SFCC (being Ord. #1980-51 as
amended) is repealed and a new Section 14-29 is ordained to read:**

14-29 BUSINESS AND INDUSTRIAL PARK DISTRICT.

**Section 2. REPEAL. Section 14-29.1 (being Ord. #1980-51 as amended) is
repealed and a new Section 14-29.1 is ordained to read:**

14-29.1 [NEW MATERIAL] Purpose and Intent.

**A. The purpose of the business and industrial park district is to provide locations for
employment-based development of business, including research and development activities,
offices, institutions, and limited light industrial uses.**

**B. The business and industrial park district provides a master planned landscaped
setting capable of being located adjacent to residential and commercial areas with minimum
buffering.**

**C. It is also intended that this district allow related uses that complement or support
the primary employment-based uses in a functional and pedestrian friendly development.**

1 **Section 3. REPEAL. Section 14-29.2 SFCC 1897 (being Ord. #1980-51 as**
2 **amended) is repealed and a new Section 14-29.2 is ordained to read:**

3 **14-29.2 [NEW MATERIAL] Permitted Principal Uses and Structures.**

4 A. The permitted principal uses and structures in the Business and Industrial Park
5 District are:

6 (1) Professional and business offices, including government offices and
7 business services;

8 (2) Light assembly and manufacturing;

9 (3) Research, experimental and testing laboratories as restricted in
10 subsection 14-29.2B;

11 (4) Medical offices and clinics, including other healing arts such as
12 acupuncture and therapeutic massage;

13 (5) Extended care and adult day care facilities;

14 (6) Branch offices of banks and credit unions, including ATM machines;

15 (7) Day care, pre-school and kindergarten establishments;

16 (8) Conference and extended stay lodging facilities that are intended to serve
17 the primary uses;

18 (9) Eating and drinking establishments, that do not exceed 5,000 square feet
19 of floor area, and that do not provide drive-through service;

20 (10) Exercise, spa or gym facilities;

21 (11) Retail and service uses that are intended to serve the primary uses and
22 that do not exceed 5,000 square feet per establishment;

23 (12) Vocational schools or trade schools involving operations of a light
24 industrial nature; and

25 (13) Veterinary pet hospitals and clinics as restricted in subsection 14-29.2C;

1 B. The uses permitted under subsection 14-29.2A(3) are further restricted as
2 follows:

3 (1) A proposed use permitted under this subsection shall in be compliance with
4 the performance standards set forth in Section 10-4 SFCC 1987 and shall not produce any
5 offensive noise, vibration, smoke, dust, odors, heat, gas, glare, electrical interference, nor
6 shall it otherwise create a risk to health, safety or property of residents or occupants of
7 adjacent or neighboring residential properties.

8 C. The uses permitted under subsection 14-29.2A(13) are further restricted as
9 follows:

10 (1) That the facilities provide treatment for animals of a non-agricultural,
11 domestic household nature only, including but not limited to dogs, cats, caged birds and
12 other animals typically capable of being housed within a family dwelling unit;

13 (2) That the facilities contain no external kennels or areas of boarding,
14 training, breeding or exercising of animals;

15 (3) That overnight boarding of animals for medical purposes only be
16 accommodated by soundproof rooms contained within the facility;

17 (4) Continuous and/or repetitious noise and/or odors discernable at the lot
18 line shall be cause for investigation by the city code enforcement department, potentially
19 leading to revocation of the occupancy permit; and

20 (5) That any treatment facility for large or typically farm animals including
21 but not limited to horses, cows, sheep, chickens and pigs be excluded from the list of
22 permitted uses.

23 **Section 4. REPEAL. Section 14-29.3 SFCC 1897 (being Ord. #1980-51 as**
24 **amended) is repealed and a new Section 14-29.3 is ordained to read:**

25 **14-29.3 [NEW MATERIAL] Permitted Accessory Uses and Structures.**

1 A. This section does not apply to telecommunication facilities which shall be
2 regulated as set forth in Section 14-40 SFCC 1987.

3 B. The accessory uses and structures permitted in a business and industrial park
4 district are those that support the operation of a permitted principal use. Such uses may exceed
5 the floor area of the permitted principal use. Examples of permitted accessory uses and structures
6 for the business and industrial park district include but are not limited to:

7 (1) Dwelling units for owners, tenants or employees;

8 (2) Warehouses and storage buildings as restricted in subsection 14-
9 29.3C;

10 (3) Outdoor storage lots and yards as restricted in subsection 14-29.3D;
11 and

12 (4) Parking structures.

13 C. Warehouses and storage buildings are further restricted as follows:

14 (1) Warehouses and storage buildings shall be incorporated into the primary
15 building design and shall be constructed of materials of comparable quality and
16 appearance.

17 D. Outdoor storage lots and yards are further restricted as follows:

18 (1) Areas for outdoor storage, trash collection, and loading shall be fully
19 screened and constructed of materials of comparable quality and appearance to the
20 primary use structure;

21 (2) Materials stored in outdoor storage lots and yards shall not exceed
22 the height of the enclosure.

23 **Section 5. REPEAL. Section 14-29.4 SFCC 1897 (being Ord. #1980-51 as**
24 **amended) is repealed and a new Section 14-29.4 is ordained to read:**

25 **14-29.4 [NEW MATERIAL] Special Exceptions.**

1 A. After public notice as set forth in subsection 14-5.4 SFCC 1987 and subject to
2 appropriate conditions and safeguards, the board of adjustment may permit as special exceptions
3 uses or structures that comply with the intent of this district, are not specifically prohibited herein,
4 and are in conformance with performance standards as set forth in Section 10-4 of Chapter X,
5 Environmental Regulations SFCC 1987.

6 B. The special exceptions allowed in the business and industrial park district shall
7 include the following;

8 (1) Hospitals and extended care facilities; provided that:

9 (a) Hospital facilities shall not be located less than fifty feet (50')
10 from the boundary of any residential use or residential zoning district;
11 and

12 (2) Transit transfer facilities.

13 C. Applicants for a special exception use shall submit a master plan covering the
14 entire tract proposed for development and indicating existing conditions and development for an
15 additional area at least two hundred feet (200') from tract boundaries. This master plan shall
16 indicate topography at two foot (2') contour intervals, and shall show existing drainage or other
17 significant natural features. Any proposed fee-simple lots shall be shown and shall be in
18 conformance with the city subdivision regulations;

19 D. This master plan shall show, with appropriate dimensions, an arrangement of
20 buildings and their uses; off-street parking and loading facilities; open space; internal automotive
21 and pedestrian circulation; ingress and egress from adjoining streets; service areas and facilities;
22 drainage system; landscaping; fences and walls; the size, location, orientation and type of all
23 signs proposed; and proposed lighting of the premises and relation to all property within two
24 hundred feet (200') of the tract. If it is proposed to develop the master plan in phases, the phases
25 and time of development shall be indicated, along with any other information requested by the

1 planning department; and

2 E. This plan shall show the identity of property owners and evidence of unified
3 control of property within the proposed development.

4 **Section 6. REPEAL. Section 14-29.5 SFCC 1897 (being Ord. #1980-51 as**
5 **amended) is repealed and a new Section 14-29.5 is ordained to read:**

6 **14-29.5 [NEW MATERIAL] Prohibited Uses and Structures.**

7 The prohibited uses and structures in a business and industrial park district are the
8 following:

9 A. Dwelling units, except as permitted ancillary uses referenced in subsection 14-
10 29.3B;

11 B. Uses of a heavy industrial nature;

12 C. Any drive-through use or facility;

13 D. Car wash operations;

14 E. Equipment rental operations; and

15 F. Any use or structure not meeting the development standards set forth below,
16 except as allowed by special exception.

17 **Section 7. REPEAL. Section 14-29.6 SFCC 1897 (being Ord. #1981-24,**
18 **Section 5 as amended) is repealed and a new Section 14-29.6 is ordained to read:**

19 **14-29.6 [NEW MATERIAL] Minimum Lot Area, Open Space**

20 **Requirements, and Setbacks.**

21 A. The minimum total area for a business and industrial park district shall be four
22 acres. The minimum total area may be further divided into individual lots. However, the site shall
23 be master planned in its entirety and the master plan approved by the planning commission.

24 B. In order to encourage pedestrian amenities, and preservation of existing
25 vegetation, there shall be a minimum open space requirement of forty percent (40%) of the total

1 master plan area. Open space shall not include driveways, parking spaces, garages, portals,
2 carports, or accessory buildings. Open space may, however, include hardscape and other
3 pedestrian oriented areas or features.

4 C. As an incentive for providing commonly shared site amenities, and as may be
5 appropriate to more urban development, the planning commission may consider developers'
6 proposals for site amenities and grant double the square footage of the amenity to be counted
7 toward the open space requirement. Such amenities shall be accessible, and include, but are not
8 limited to, the following examples: interior trail systems, small plazas, fountains, children's play
9 areas, or public art. In no case shall the amount of open space be less than twenty-five percent
10 (25%) of the total master plan area.

11 D. Except for the specific setback requirements for those uses listed under
12 subsections 14-29.2C, 14-29.4 or 14-29.13, no building, parking or loading facilities, or driveway
13 shall be located less than fifty feet (50') from the boundary of any residential use or residential
14 zoning district. The planning commission may consider reduced setbacks to allow for greater
15 flexibility in site design, and based on the proposed use and site development proposal. Setback
16 reduction may also be mitigated by other factors, including but not limited to topography,
17 proposed fences or walls, or dense landscape separation. In no case, however, shall the setback be
18 less than twenty-five feet (25').

19 **Section 8. REPEAL. Section 14-29.7 SFCC 1897 (being Ord. #1980-51 as**
20 **amended) is repealed and a new Section 14-29.7 is ordained to read:**

21 **14-29.7 [NEW MATERIAL] Lot Coverage.**

22 There is no lot coverage requirement except to meet the open space, setback, parking and
23 other requirements of this section.

24 **Section 9. REPEAL. Section 14-29.8 SFCC 1897 (being Ord. # 1980-51 as**
25 **amended) is repealed and a new Section 14-29.8 is ordained to read:**

1 **14-29.8 [NEW MATERIAL] Maximum Height of Structures.**

2 A. Except as provided in subsection 14-53.5 SFCC 1987, no portion of any structure
3 located within twenty-five feet (25') of any residential zoning district or residential use shall
4 exceed twenty-four feet (24') in height. Maximum height calculation shall not include a
5 parapet.

6 B. Structures may exceed the heights specified above not to exceed thirty-six feet
7 (36') in height, exclusive of the parapet, provided that the structure wall shall be stepped back
8 two horizontal feet for each vertical foot of additional height up to the maximum permitted.

9 **Section 10. REPEAL. Section 14-29.9 SFCC 1897 (being Ord. #1980-51 as**
10 **amended) is repealed and a new Section 14-29.9 is ordained to read:**

11 **14-29.9 [NEW MATERIAL] Parking and Loading Requirements.**

12 A. The configuration and distribution of parking areas may be proposed for the
13 entire site or portions of the site, and need not be allocated on an individual lot basis.

14 B. Quantities and sizes of parking and loading areas shall be as required in Sections
15 14-49 and 14-50 SFCC 1987. Furthermore, truck loading shall be confined to the rear and sides
16 of the buildings. To the extent possible, areas for outdoor storage, trash collection, and loading
17 shall not be located adjacent to residential lots. Where such facilities are located adjacent to
18 residential lots, they shall include a solid acoustic buffer. In all cases, such shall be effectively
19 screened from public view. To the extent possible, vehicular idling shall not be allowed in areas
20 adjacent to residential lots. Signage shall be installed prohibiting vehicular idling in areas
21 adjacent to residential lots. Areas for outdoor storage, trash collection, and loading shall be
22 incorporated into the primary building design and construction for these areas shall be of
23 materials of comparable quality and appearance as the building. Visual and acoustic impacts of
24 these functions shall be mitigated to the greatest extent possible. When the loading and/or refuse
25 collection area is adjacent to a residential district, deliveries and collections shall not occur

1 between 10:00 p.m. and 6:00 a.m.

2 **Section 11. REPEAL Section 14-29.10 SFCC 1897 (being Ord. #1980-**
3 **51 as amended) is repealed and a new Section 14-29.10 is ordained to read:**

4 **14-29.10 [NEW MATERIAL] Limitation on Signs.**

5 Signs for business and industrial park districts shall be as required in Section 14-51 SFCC
6 1987.

7 **Section 12. REPEAL. Section 14-29.11 SFCC 1987 (being Ord. #1980-51 as**
8 **amended) is repealed and a new Section 14-29.11 is ordained to read:**

9 **14-29.11 [NEW MATERIAL] Rezoning, Master Plan, and Development of**
10 **Individual Lots.**

11 A. Applications to rezone to business and industrial park districts may be submitted
12 simultaneously with an annexation request or for land already located within the city in
13 accordance with the general plan. In addition to meeting all other requirements set forth in this
14 chapter for rezoning, applications for rezoning to business and industrial park districts shall
15 include a master plan as set forth below. Revisions to the master plan shall be reviewed by the
16 planning commission. A reproducible original of the master plan shall be placed on record in the
17 planning and land use department. Development shall occur in accordance with the approved
18 master plan.

19 B. The master plan shall include the following. As appropriate the information may
20 be provided at a schematic level:

21 (1) Existing conditions on site and on adjacent properties including
22 boundaries, zoning, footprints of existing structures and uses of proposed principal
23 structures if known;

24 (2) Existing topography and drainage and proposed modifications;

25 (3) Existing landscape conditions and proposed landscape improvements;

- 1 (4) Ingress and egress to public streets, existing and proposed
2 vehicular, bicycle, pedestrian circulation systems including possible parking locations
3 and access to public transit;
- 4 (5) Proposed land uses;
- 5 (6) Existing and proposed infrastructure;
- 6 (7) Open space systems and all common amenities;
- 7 (8) Schematic layout of possible future lots and or the extent of buildable
8 areas including required setbacks;
- 9 (9) Traffic impact analysis; and
- 10 (10) Other information as may be requested by planning department staff at a
11 pre-application meeting.

12 C. If a sufficient level of detail is provided at the time of master plan review, the
13 master plan, or portions of the master plan, may be considered the development plan for review
14 purposes.

15 D. The creation of streets; utility, drainage, vehicular or pedestrian easements; and
16 open space shall require the approval of a separate plat, which may be reviewed simultaneously
17 with the master plan.

18 E. In order to allow lots to be created to accommodate specific uses as needed, the
19 planning commission may approve multiple and sequential lot splits. If the lot is adjacent to a
20 residential district, or residential use, the planning commission shall simultaneously review a
21 development plan.

22 **Section 13. REPEAL. Section 14-29.12 SFCC 1897 (being Ord. #1980-51 as**
23 **amended) is repealed and a new Section 14-29.12 is ordained to read:**

24 **14-29.12 [NEW MATERIAL] Exceptions.**

25 Any property previously zoned IP, Industrial Park, with master plan approval on or

1 before the date of adoption of the Business and Industrial Park zoning district shall be governed
2 by and subject to the approved master plan and the IP, Industrial Park, zoning requirements.
3 Where a conflict exists between the approved master plan and the requirements under this
4 section, the more lenient standard shall prevail.

5 **Section 14. REPEAL. Section 14-29.13 SFCC 1897 (being Ord. #1980-51 as**
6 **amended) is repealed and a new Section 14-29.13 is ordained to read:**

7 **14-29.13 [NEW MATERIAL] Additional Requirements.**

8 A. Eating and drinking and child care establishments, shall be located a minimum of
9 fifty feet (50') from any existing residential use or any undeveloped residential zoning district.
10 Eating and drinking establishments adjacent to residentially zoned property must close any
11 outside portion of their establishment no later than 9:00 p.m.

12 B. Any development in the business and industrial park district shall be subject to
13 all other requirements of this chapter, including ENN, Highway Corridor, and Section 10-4 of
14 Chapter X, Environmental Regulations SFCC 1987, and may be further restricted as to use,
15 setbacks, hours of operation, or in any other way that shall be deemed reasonable by the planning
16 commission, board of adjustment, and/or the governing body.

17 **Section 15. Section 14-50.1 SFCC 1987 (being Ord. #1962-19, Section 28-21 as**
18 **amended) is amended to read:**

19 **14-50.1 Standards.**

20 A. General loading standards are as follows:

21 (1) Loading areas shall be paved in conformance with paving requirements
22 specified in off-street parking standards;

23 (2) All permitted or permissible uses requiring loading space for normal
24 operations shall provide adequate loading space so that no vehicle being loaded or
25 unloaded in connection with normal operation shall stand in or project into any public

street, walk, alleyway, required front yard or common ingress-egress easement; and

(3) Adequate off-street loading facilities shall be separated from required off-street parking facilities.

B. Additional specific district regulations are as follows:

(1) In SC districts, space for normal off-street loading operations shall be provided at rear or side of or beneath the shopping center building;

(2) In I-1, I-2 and BCD districts, there shall be an adequate area for the storing of all vehicles used incidental to or as part of the primary operation of the establishment; and

(3) In C-2 districts, loading areas shall not be permitted within fifty feet (50') of the front lot line; truck loading shall be confined to the rear or sides of buildings.

Section 16. Section 14-51.7 SFCC 1987 (being Ord. #1962-19, Section 28-21 as amended) is amended to read:

14-51.7 General Requirements for Signs According to District.

A. In residential, RAC and AC districts not more than two (2) signs are allowed per building, with combined surface area not exceeding twenty (20) square feet. In addition, an entrance sign is allowed as set forth in subsection 14-51.3 of this chapter.

B. For C-1, C-4 and HZ districts not more than two (2) signs are allowed per building, the combined surface area of which shall not exceed thirty-two (32) square feet. In addition, an entrance sign is allowed as set forth in subsection 14-51.3 of this chapter.

C. In RAC, AC, C-1, C-4 and HZ districts not more than two (2) bulletin or notice boards are allowed with combined surface area not exceeding twenty (20) square feet and not exceeding ten (10) square feet for one (1) such board;

D. No sign shall exceed ten feet (10') in height in residential districts. No sign shall exceed fifteen feet (15') in height in RAC, AC, C-1, C-4 and HZ districts.

1 E. All signs in "H" districts shall be governed by "H" zone sign regulations.
2 However, building permits are required for signs in the "H" districts unless otherwise provided.

3 F. The BCD district shall be governed by "H" zone sign regulations for that part of
4 the BCD district included in the "H" districts.

5 G. For those portions of SC, C-2, I-1, I-2 and business and industrial park districts
6 that are not located within the Cerrillos Road Highway Corridor Protection district, and that
7 portion of the BCD district not located within the "H" districts, the following standards shall
8 apply:

9 (1) For one (1) business establishment on the premises, not more than three
10 (3) signs are allowed, no one (1) of which shall exceed eighty (80) square feet and all
11 three (3) of which shall not exceed one hundred fifty (150) square feet;

12 (2) For two (2) business establishments on the premises, no more than four
13 (4) signs total are allowed, no one (1) of which shall exceed eighty (80) square feet in
14 area and all of which, for any one (1) business establishment, shall not exceed eighty (80)
15 square feet;

16 (3) For three (3) or more business establishments on the premises, one (1)
17 sign for the purpose of general identification of the entire premises, not to exceed one
18 hundred fifty (150) square feet is allowed. In addition, one (1) sign is allowed with one
19 (1) square foot of surface area for each one lineal foot (1') of building frontage not to
20 exceed eighty (80) square feet per business establishment;

21 (4) No such sign shall exceed twenty-five feet (25') in height;

22 (5) For SC and business and industrial park districts, in addition to one (1)
23 identification sign not to exceed one hundred fifty (150) square feet, one (1) sign for each
24 full line department store, junior department store and supermarket with one (1) square
25 foot of surface area for each one lineal foot (1') of building frontage is permitted,

1 providing it does not exceed eighty (80) square feet;

2 (6) Only one (1) free standing sign is allowed per premises in the SC, C-2, I-
3 1, I-2 and business and industrial park districts; and

4 (7) For buildings with two (2) front facades an additional sign is allowed.
5 The maximum sign size for one (1) facade is one hundred percent (100%) of the allowed
6 sign size and for the second facade the maximum sign size is fifty percent (50%) of the
7 allowed sign size.

8 H. For C-2, SC, and I properties located within the Cerrillos Road Highway
9 Corridor Protection district, the following standards shall apply:

10 (1) For one (1) business establishment on a legal lot of record, not more than
11 three (3) signs are allowed, no one of which shall exceed fifty (50) square feet in area in
12 Corridor Zone One, sixty (60) square feet in Corridor Zone Two, seventy (70) square feet
13 in Corridor Zone Three, and eighty (80) square feet in Corridor Zone Four. The total
14 allowable sign area for all three (3) signs shall not exceed one hundred fifty (150) square
15 feet;

16 (2) For two (2) business establishments on a legal lot of record, no more than
17 four (4) signs are allowed, no one of which shall exceed fifty (50) square feet in area in
18 Corridor Zone One, sixty (60) square feet in Corridor Zone Two, seventy (70) square
19 feet in Corridor Zone Three, and eighty (80) square feet in Corridor Zone Four. The total
20 allowable sign area for any one (1) business establishment shall not exceed eighty (80)
21 square feet;

22 (3) For three (3) or more business establishments on a legal lot of record,
23 one (1) sign is allowed for the purpose of general identification of the entire premises not
24 to exceed ninety (90) square feet in area in Corridor Zone One, one hundred ten (110)
25 square feet in Corridor Zone Two, one hundred thirty (130) square feet in Corridor Zone

1 Three, and one hundred fifty (150) square feet in Corridor Zone Four. In addition, one (1)
2 wall mounted sign per business establishment is allowed having one (1) square foot of
3 surface area for each one (1) lineal foot of building or lease space frontage, but in no case
4 exceeding eighty (80) square feet per business establishment;

5 (4) All free-standing signs along Cerrillos Road shall meet the building
6 setback requirements set forth in 14-69A.4(A) SFCC 1987. However, in the case of
7 properties flanked on one or both sides by existing buildings that encroach into the
8 required setback distance, the freestanding sign setback may be reduced to correspond to
9 either the average of the adjacent building setbacks, or to the average of an adjacent
10 building setback and the required building setback. Only one (1) freestanding sign,
11 meeting the area requirements in paragraphs (1) through (3) above, is allowed per legal
12 lot of record;

13 (5) No freestanding sign shall exceed fourteen feet (14') in height in
14 Corridor Zone One, sixteen feet (16') in Corridor Zone Two, eighteen feet (18') in
15 Corridor Zone Three, and twenty feet (20') in Corridor Zone Four. No wall mounted sign
16 shall exceed twenty-five feet (25') in height, or the height of the wall on which it is
17 mounted, whichever is less;

18 (6) Roof top, marquee type, and projecting signs mounted perpendicular to a
19 wall plane, are prohibited; and

20 (7) Signs existing prior to the adoption of the Cerrillos Road Highway
21 Corridor Protection District Ordinance shall have five (5) years from the effective date of
22 the Cerrillos Road Highway Corridor Protection District Ordinance to comply with the
23 provisions of this subsection.

24 PASSED, APPROVED and ADOPTED this _____ day of _____,

25 2001.

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LARRY A. DELGADO, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

PETER A. DWYER, CITY ATTORNEY